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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE: EQUIFAX FAIR CREDIT  
REPORTING ACT LITIGATION

DOCKET NUMBER  
1:22-CV-3072-LMM

ATLANTA, GEORGIA  
SEPTEMBER 17, 2024

TRANSCRIPT OF STATUS CONFERENCE PROCEEDINGS  
BEFORE THE HONORABLE LEIGH MARTIN MAY,  
UNITED STATES DISTRICT JUDGE

APPEARANCES:

FOR THE PLAINTIFF:

DENA SHARP  
GIRARD, SHARP, LLP  
SAN FRANCISCO, CALIFORNIA      94108

BRANDON WADDELL  
CAPLAN, COBB, LLP  
ATLANTA, GEORGIA 30309

FOR THE DEFENDANT:

ZACHARY MCENTYRE  
KING & SPALDING, LLP  
ATLANTA, GEORGIA 30309

MECHANICAL STENOGRAPHY OF PROCEEDINGS  
AND COMPUTER-AIDED TRANSCRIPT PRODUCED BY

OFFICIAL COURT REPORTER: MONTRELL VANN, RPR, RMR, RDR, CRR  
2160 UNITED STATES COURTHOUSE  
75 TED TURNER DRIVE, SOUTHWEST  
ATLANTA, GEORGIA 30303  
(404) 215-1549

1           (IN ATLANTA, FULTON COUNTY, GEORGIA, SEPTEMBER 17, 2024,  
2           IN JUDGE'S CONFERENCE ROOM.)

3           THE COURT: SO WE ARE HERE IN CASE NUMBER  
4           1:22-CV-3072, MAURICE MOORE, ET AL. VS. EQUIFAX. AND WE HAVE A  
5           LARGE NUMBER OF LAWYERS TODAY, SO I DON'T KNOW THAT WE HAVE TO  
6           GET EVERYONE'S APPEARANCE ON THE RECORD, BUT I THINK APPEARING  
7           FOR LEAD COUNSEL TODAY, I'LL GET BOTH OF YOUR APPEARANCES. SO  
8           FOR THE PLAINTIFF?

9           MS. SHARP: DENA SHARP FOR THE CLASS PLAINTIFFS.

10          THE COURT: OKAY. AND FOR THE DEFENDANT?

11          MR. MCENTYRE: ZACK MCENTYRE FOR EQUIFAX INFORMATION  
12          SERVICES AND EQUIFAX, INCORPORATED.

13          THE COURT: OKAY. EVERYONE'S BEEN MEETING TODAY ON A  
14          VARIETY OF DISCOVERY ISSUES, AND SO THERE'S BEEN A CONFERENCE,  
15          AND THE PARTIES HAVE REACHED SOME PRELIMINARY AND FINAL  
16          AGREEMENT. SO THIS IS A PART OF THE DAY WHERE THEY'RE GOING TO  
17          REPORT IN WHERE THEY ARE AND KIND OF WHAT AGREEMENTS THEY'VE  
18          REACHED. SO I'LL JUST TURN IT OVER TO YOU GUYS.

19          MS. SHARP: THANK YOU, YOUR HONOR. WE'RE GOING TO  
20          BEGIN WITH THE DISCOVERY DISPUTE THAT BROUGHT US HERE TODAY  
21          INITIALLY WHICH IS R.P. 3, AND MR. WADDELL WILL WALK THROUGH  
22          WHAT I BELIEVE IS THE STIPULATED AGREEMENT. WE'VE PASSED SOME  
23          LANGUAGE BACK AND FORTH. AND THEN WE'LL MARCH THROUGH A  
24          HANDFUL OF DATES THAT WE'VE AGREED ON IN THE NEXT MONTH OR SO,  
25          AND THEN DISCUSS WITH THE COURT WHAT WE ANTICIPATE COMING NEXT,

1 IF THAT'S ACCEPTABLE.

2 THE COURT: OKAY. THAT'S FINE. AND IF YOU'RE GOING  
3 TO SPEAK TODAY, JUST SAY YOUR FULL NAME BEFORE YOU START  
4 SPEAKING SO WE'LL HAVE THAT ON THE RECORD.

5 MR. WADDELL: THANK YOU, YOUR HONOR. BRANDON WADDELL  
6 ON BEHALF OF PLAINTIFFS. THE PARTIES HAVE AGREED, WITH RESPECT  
7 TO PLAINTIFF'S DISPUTE AS TO THE THIRD REQUEST -- THEIR THIRD  
8 SET OF REQUEST FOR PRODUCTION, THAT EQUIFAX WILL PRODUCE  
9 DOCUMENTS RESPONSIVE TO PLAINTIFF'S THIRD SET OF REQUESTS FOR  
10 PRODUCTION FOR FOUR YEARS PRIOR TO THE INCIDENT. PLAINTIFFS  
11 RESERVE THE RIGHT TO SEEK DOCUMENTS RELATED TO THE INCIDENTS  
12 THAT OCCURRED BEFORE THIS. PERIOD FOR REQUESTS 52, 55 THROUGH  
13 56, 59 THROUGH 60, 63 THROUGH 66, AND 68 THROUGH 70, EQUIFAX'S  
14 INITIAL PRODUCTION WILL BE LIMITED TO INCIDENT ANALYSIS  
15 REPORTS, OR SIMILAR SUMMARY LEVEL REPORTS THAT REFLECT THE  
16 ISSUES IDENTIFIED IN THOSE REQUESTS. THE PARTIES WILL MEET AND  
17 CONFER REGARDING ANY ADDITIONAL DOCUMENTS, INCLUDING  
18 COMMUNICATIONS RELATED TO ANY INCIDENT REFLECTED IN THESE  
19 DOCUMENTS.

20 THE COURT: OKAY. THANK YOU. SO WHAT DID Y'ALL WANT  
21 TO TALK ABOUT NEXT?

22 MR. MCENTYRE: WE AGREE, YOUR HONOR, YES.

23 MS. SHARP: THAT'S WELCOMED SILENCE. ALL RIGHT.  
24 OKAY. SO WITH APOLOGIES TO THE COURT REPORTER, I DO HAVE A  
25 NUMBER OF DATES TO MARCH THROUGH AND THE PARTIES' AGREEMENTS.

1 WE'VE TALKED THROUGH THESE AS WELL, BUT I WELCOME MY COLLEAGUES  
2 TO JUMP IN ON THE PLAINTIFFS' SIDE OR THE DEFENSE SIDE IF I GET  
3 ANY OF THIS WRONG. BY SEPTEMBER 20, EQUIFAX WILL LET  
4 PLAINTIFFS KNOW IF CREDIT KARMA SCORES CAN BE RE-CREATED. IF  
5 SO, EQUIFAX WILL RECREATE THEM FOR THE NAMED PLAINTIFFS AND FOR  
6 INDIVIDUALS IDENTIFIED IN THE JULY 10 LETTER. IN THE LATTER  
7 CASE, EQUIFAX WILL INVESTIGATE FURTHER WHEN THEY WILL BE IN A  
8 POSITION TO PRODUCE THAT INFORMATION.

9 ALSO, ON SEPTEMBER 20TH, EQUIFAX WILL PROVIDE A CHASE  
10 CUSTODIAN. ALSO, SEPTEMBER 20TH, EQUIFAX WILL CONFIRM THAT  
11 THEY HAVE PROVIDED ALL RELEVANT CUSTODIANS. SEPTEMBER 20  
12 STILL, EQUIFAX WILL PROVIDE A LIST OF MAINTENANCE OR UPDATES  
13 AND PATCHES MADE TO THE OPERATING SYSTEM FOR LEGACY SERVER  
14 SUBJECT TO THE PROTECTIVE ORDER FOR TWO YEARS. ALSO, ON  
15 SEPTEMBER 20TH, PLAINTIFFS WILL PROVIDE FURTHER SEARCH TERMS TO  
16 EQUIFAX. BY SEPTEMBER 27TH, TWO ITEMS. ONE, EQUIFAX WILL  
17 PROVIDE INFORMATION ON THE GRANT THORTON ACCOUNTS AS DISCUSSED  
18 IN PLAINTIFF'S AUGUST 16 LETTER. TWO, EQUIFAX WILL LET  
19 PLAINTIFFS KNOW IF ORD CHARDS (PHONETIC) OR SIMILAR INFORMATION  
20 CAN BE PRODUCED. BY OCTOBER 1, TWO ADDITIONAL ITEMS. ONE,  
21 EQUIFAX WILL PRODUCE DOCUMENTS REFLECTING DISCUSSIONS BY OR  
22 PRESENTATIONS TO EQUIFAX'S BOARD OF DIRECTORS OR ANY OF ITS  
23 COMMITTEES REGARDING THE MISREPORTING ISSUE. TWO, OCTOBER 1 IS  
24 THE DEADLINE FOR THE PARTIES TO COMPLETE THEIR  
25 MEET-AND-CONFER ON SEARCH TERMS AND CUSTODIANS WITH A FEW

1 CAVEATS. ONE, THAT THE PARTIES UNDERSTAND THAT THERE ARE TWO  
2 CUSTODIANS WHOSE FILES WILL TRAIL OCTOBER 1ST, AND THE PARTIES  
3 HAVE AGREED IN GOOD FAITH TO CONFER ABOUT THOSE CUSTODIANS AND  
4 ANY EFFECT THEY MAY HAVE ON OTHERWISE AGREED SEARCH TERMS AND  
5 CUSTODIANS.

6 THE SECOND CAVEAT ON THAT ONE IS THAT WE WOULD LIKE TO  
7 REQUEST, IF THE PARTIES DO REACH IMPASSE ON ANY SEARCH TERMS OR  
8 CUSTODIANS THAT WILL IMPEDE THE PRODUCTIONS AND OUR ABILITY TO  
9 PROCEED BEFORE THE NEXT STATUS CONFERENCE, IF WE COULD ASK FOR  
10 LEAVE TO NOTIFY MS. POLEY, SEND AN E-MAIL AND ASK FOR A QUICK  
11 ZOOM HEARING. WE WOULD HOPE WE CAN CLEAR ANY UNDERBRUSH THAT  
12 WAY, IF THAT'S ACCEPTABLE TO THE COURT.

13 THE COURT: IT IS.

14 MS. SHARP: GREAT. THANK YOU. ALL RIGHT. IN THE  
15 WEEK OF OCTOBER 14, EQUIFAX HAS OFFERED A DATE FOR A 30(B)(6)  
16 DEPOSITION RELATING TO THE IMPACT ANALYSIS. THE PLAINTIFFS ARE  
17 TAKING THAT INTO CONSIDERATION AND WILL GET BACK TO EQUIFAX.  
18 WITHIN 30 DAYS OF PLAINTIFFS PROVIDING PERSONAL IDENTIFYING  
19 INFORMATION TO EQUIFAX, EQUIFAX WILL PROVIDE SCORE SHIFT  
20 ANALYSIS INFORMATION FOR THE ADDITIONAL FEW INDIVIDUALS  
21 IDENTIFIED IN PLAINTIFF'S JULY 10, 2024 LETTER. SO THOSE ARE  
22 THE AGREEMENTS. I THINK ONE FURTHER POINT THAT, AT LEAST FOR  
23 THE PLAINTIFFS, WE WANT TO EMPHASIZE, IS THAT WE'VE TAKEN A  
24 HARD LOOK AT THE CASE CALENDAR. WE KNOW THE CLOSE OF FACT  
25 DISCOVERY IS MARCH 15, 2025. WE HAVE A WHOLE LOT OF WORK TO DO

1 TO FINISH DISCOVERY. AND THE PARTIES, I THINK, HAVE VERY  
2 PRODUCTIVELY DISCUSSED WHAT THEY CAN DO TODAY TO REACH THAT  
3 GOAL AND THAT DEADLINE, AND SO WE WANT TO KEEP DRIVING TO THAT  
4 DEADLINE. WE'RE SENSITIVE THAT A LOT NEEDS TO HAPPEN, BUT I  
5 THINK WE'VE HAD A MEETING OF THE MINDS THAT WE WANT TO DO  
6 EVERYTHING WE CAN TO ENSURE WE STAY WITH THAT SCHEDULE. AND TO  
7 THAT END, WE APPRECIATE THE COURT'S OFFER TO HAVE US COME VISIT  
8 AGAIN AND HAVE SOMETHING SIMILAR TO THE VERY PRODUCTIVE SESSION  
9 THAT WE'VE HAD TODAY, SUBJECT, OF COURSE, TO THE COURT'S  
10 AVAILABILITY. WE DO -- OCTOBER 29 AND 30TH, OCTOBER 29 IN THE  
11 AFTERNOON, RIGHT, ZACK?

12 MR. MCENTYRE: YEAH, THAT'S RIGHT.

13 MS. SHARP: AND THEN OCTOBER 30, WE HAVE SOME  
14 CONSTRAINTS ON OUR SIDE. OF COURSE THAT'S SUBJECT TO THE  
15 COURT'S AVAILABILITY. WE TRIED FOR EARLIER IN OCTOBER BECAUSE  
16 WE THINK THIS IS PRODUCTIVE, BUT THERE'S A LOT GOING ON. SO I  
17 DON'T KNOW IF THERE'S ANYTHING FURTHER RIGHT NOW FROM THE  
18 PLAINTIFFS. I GUESS ONE LAST POINT I'LL MAKE, AND THEN I'LL BE  
19 QUIET MAYBE. WE DID DISCUSS THAT WE HAVE COVERED IN OUR  
20 MEET-AND-CONFERS LEADING UP TO TODAY AND TODAY WHAT WE ALL VIEW  
21 AS THE MOST IMPORTANT PERCOLATING ISSUES. THERE ARE OTHER  
22 THINGS OUT THERE, BUT WE'VE AGREED THAT WE'RE SURFACING THESE.  
23 NOBODY'S WAIVING ON ANY OF THOSE THINGS, BUT WE'RE NOT PRESSING  
24 ON EQUIFAX TO COMPLY WITH ANY SORT OF LINGERING DISPUTES THAT  
25 ARE OUT THERE RIGHT NOW, SO EVERYBODY IS RESERVING THEIR

1 RIGHTS, BUT I THINK WE'RE ALL APPROPRIATELY FOCUSED ON THE MAIN  
2 ISSUES TODAY.

3 THE COURT: OKAY.

4 MS. SHARP: OKAY.

5 THE COURT: MR. MCENTYRE, DID YOU WANT TO ADD  
6 ANYTHING?

7 MR. MCENTYRE: NO. I AGREE WITH EVERYTHING MS. SHARP  
8 SAID, AND I WILL REITERATE THAT EQUIFAX'S COMMITMENT TO TRYING  
9 TO DO THE WORK WE NEED TO DO TO GET THROUGH FACT DISCOVERY ON  
10 THE CURRENT SCHEDULE, AND IT WILL BE A LOT OF WORK, BUT WE ARE  
11 ABSOLUTELY ENDEAVORING TO GET IT DONE.

12 THE COURT: OKAY. WELL, I'LL CHECK ON THOSE DATES  
13 AND LET YOU KNOW. IF THOSE DATES DON'T WORK, WE'LL FIGURE OUT  
14 SOME OTHER DATES EVEN IF IT'S NOT -- WE DON'T NEED ALL OF YOU  
15 GUYS. WE CAN HAVE A SUBSET PROBABLY AND STILL HAVE A  
16 PRODUCTIVE MEETING. AND AS YOU MENTIONED, WE CAN DO OTHER  
17 SMALLER MEETINGS ON ZOOM AS THINGS COME UP. FROM MY  
18 PERSPECTIVE WHAT I WANT TO SEE IS Y'ALL WHITTLE IT DOWN TO THE  
19 IMPASSE, AND A TRUE KIND OF MEET-AND-CONFER PROCESS. BUT IF  
20 SOMETHING IS AT THAT IMPASSE, LITERALLY JUST SEND MS. POLEY AN  
21 E-MAIL. I DON'T NEED A WHOLE BUNCH OF STUFF. I JUST NEED A  
22 SUMMARY OF KIND OF WHAT'S HAPPENING, AND THEN WE CAN TALK  
23 THROUGH IT ON A CALL, AND I'LL GET YOU THE TIME TO DO THAT. IT  
24 SHOULDN'T BE A PROBLEM. SO I DO THANK YOU ALL FOR YOUR HARD  
25 WORK TODAY. IT'S ALWAYS NICE TO COME BACK UP HERE AND HAVE



1 NOTHING THAT I HAVE TO DECIDE. MAYBE YA'LL WERE AFRAID THAT  
2 YOU WOULDN'T BE ALLOWED TO LEAVE THE ROOM UNTIL IT WAS ALL  
3 WORKED OUT, GIVEN MY ADMONITION THAT YOU HAD TO BE PREPARED  
4 FOR, I THINK IT WAS, FIVE HOURS OF WORK.

5 MS. SHARP: YES.

6 THE COURT: BUT I DIDN'T WANT SOMEONE TO HAVE A NOON  
7 FLIGHT, AND THEN IT JUST DIDN'T GET ANYWHERE. SO I DO  
8 APPRECIATE THAT. AND I THINK THESE MEETINGS AND HAVING THESE  
9 DEADLINES REALLY DO FOCUS EVERYONE ON WHAT YOU SAID WAS  
10 IMPORTANT. LET'S JUST GET TO WHAT YOU GUYS REALLY NEED, AND  
11 FIND OUT IF THERE'S A PROBLEM WITH IT, AND THEN WE'LL GO FROM  
12 THAT. SO I DON'T HAVE ANYTHING ELSE I NEED TO SAY UNLESS YOU  
13 ALL HAVE ANYTHING YOU WANTED TO PUT ON THE RECORD. OKAY.  
14 WELL, WE CAN GO OFF THE RECORD.

15 (OFF-THE-RECORD DISCUSSION.)

16 (PROCEEDINGS ADJOURNED.)  
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C E R T I F I C A T E

UNITED STATES OF AMERICA

NORTHERN DISTRICT OF GEORGIA

I, MONTRELL VANN, RPR, RMR, RDR, CRR, OFFICIAL COURT REPORTER OF THE UNITED STATES DISTRICT COURT, FOR THE NORTHERN DISTRICT OF GEORGIA, ATLANTA, DO HEREBY CERTIFY THAT THE FOREGOING 8 PAGES CONSTITUTE A TRUE TRANSCRIPT OF PROCEEDINGS HAD BEFORE THE SAID COURT, HELD IN THE CITY OF ATLANTA, GEORGIA, IN THE MATTER THEREIN STATED.

IN TESTIMONY WHEREOF, I HEREUNTO SET MY HAND ON THIS, THE 24TH DAY OF SEPTEMBER 2024.

/S/ MONTRELL VANN  
MONTRELL VANN, RPR, RMR, RDR, CRR  
OFFICIAL COURT REPORTER  
UNITED STATES DISTRICT COURT